

Caption in Compliance with D.N.J. LBR 9004-1(b)

CXE 23-029738
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LLC

In Re:

DAVID A. THOMAS, JR.,
DEBTOR



Order Filed on December 15, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 21-16980-ABA

Judge: HONORABLE ANDREW B.
ALTENBURG, JR.

Chapter: 13

CONSENT ORDER RESOLVING CREDITOR'S CERTIFICATION OF DEFAULT

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

DATED: December 15, 2023



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

This matter being opened to the Court by LOGS Legal Group LLP, Attorneys for Lakeview Loan Servicing, LLC, hereinafter "Secured Creditor", upon the filing of a Certification of Default for an Order Vacating Stay in a Chapter 13 Case for failure of the Debtor to make post-petition payments on a mortgage obligation, and due notice of said Certification having been given to the Trustee, the Debtor and the attorney for the Debtor, if any AND CONSENT OF THE PARTIES APPEARING HEREON and for good cause shown,

1. As of November 28, 2023, Debtor is delinquent in post-petition payments for the months of September 1, 2023 through October 1, 2023 in the amount of \$599.53 each, and November 1, 2023 in the amount of \$684.02, less a suspense balance of \$284.90, for a total post-petition delinquency amount of \$1,598.18 due to the Secured Creditor.
2. Debtor agrees to capitalize the post-petition delinquency of \$1,598.18, as outlined in Paragraph one (1) above, to be paid through the remaining Chapter 13 Plan. *The Trustee shall amend his/her records to reflect same and shall set up on the Trustee's ledger.* The Debtor shall file a Modified Plan within fourteen (14) days of entry of this Consent Order to fund this capitalization of post-petition arrears, *or the case will be dismissed upon motion of the Trustee, with notice to Debtor and Debtor's Counsel.*
3. Starting December 1, 2023, Debtor shall maintain all contractually due payments, which currently amount to \$684.02 monthly, directly to Secured Creditor.
4. Debtor shall reimburse Secured Creditor \$200.00 in attorney fees through their Chapter 13 Plan of Reorganization. *The Trustee shall amend his/her records to reflect same and shall set up on the Trustee's ledger.*
5. If the Debtor fails to make any payments detailed in this Consent Order within thirty (30) days of the date the payments are due, or if any of the funds paid fail to clear for insufficient funds or are dishonored for any reason, then the Secured Creditor may send Debtor and Debtor's Counsel a written notice of default of this Consent Order. If the default is not cured within ten (10) days of such notice, Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by submitting a Certification of Default to the Bankruptcy Court, specifying the Debtor's failure to comply with this Consent Order, with a copy of any application, supporting certification, and proposed Order to be served on the Chapter 13 Standing Trustee, Debtor's Counsel and Debtor as required by the local bankruptcy rules.
6. In the event the instant bankruptcy proceeding is dismissed, discharged or converts, this Consent Order shall be terminated and have no further force or effect.

We hereby consent to the form, content, and entry of the within Order.

LOGS Legal Group LLP

/s/Elizabeth L. Wassall

Date: 12-13-2023

Elizabeth L. Wassall, Esquire
Attorney for the Secured Creditor

Date: 12/12/23


Brad J. Sadek, Esquire
Attorney for the Debtor